

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: Xingzhou JIN et al.

Serial No.: 10/501,452

Filed: July 14, 2004

Confirmation No.: 9405

For: SOLVENT-SOLUBLE BLOCK COPOLYMERIZATION POLYIMIDE
COMPOSITION, AND ITS PRODUCTION PROCESS

Attorney Docket Number: 042586

Customer Number: 38834

PETITION UNDER 37 CFR § 1.47(a)

Box: PETITIONS
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

March 11, 2005

Sir:

Applicants petition under 37 CFR § 1.47(a). The sixth named inventor,
Akihito TANIGUCHI refuses to join in the application for patent.

Attached is a statement of pertinent facts entitled, "Statement of Facts In Support Of
Petition under 37 CFR § 1.47(a)" by a person who is most knowledgeable of the facts.

A copy of the mail delivery receipt along with the letter sent to the missing inventor is
attached to the "Statement of Facts In Support Of Petition under 37 CFR § 1.47(a)". The letter
included the specification, declaration and assignment requesting him to sign and return them to
the representative in Japan.

Attached is a check in the amount of \$200.00 required for 37 CFR § 1.47(a), as set forth in 37 CFR § 1.17(g). If any additional fees are required with respect to this paper, please charge our Deposit Account No. 50-2866.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP



Sadao Kinashi

Attorney for Applicant
Registration No.: 48,075

SK/sg:ll
1250 Connecticut Avenue, NW
Suite 700
Washington, D.C. 20036
(202) 822-1100

Attachments: Statement of Facts In Support of Petition under 37 CFR § 1.47(a) with copy of letter to inventor and copy of mail delivery receipt.

Rec'd PCT/PTO 11 MAR 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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STATEMENT OF FACTS IN SUPPORT OF PETITION
UNDER 37 CFR § 1.47(a)

This statement is made as to the facts that are relied upon to establish the diligent effort made to secure the execution of the declaration by the nonsigning inventor for the above identified patent application. This statement is made by the available person having first-hand knowledge of the facts recited therein.

I, Shigeru Koizumi, am a board director of PI R&D Co, Ltd. I have the first-hand knowledge of the facts how Mr. Taniguchi refused to execute the declaration.

Mr. Taniguchi left PI R&D Co, Ltd on February 28, 2002. The address of Mr. Taniguchi was not known after he left. The Japanese patent attorney, Akira Yonezawa, who handled the Japanese application, requested the chief of Miyamae Ward, Kawasaki City for the information regarding Mr. Taniguchi's new address based on his professional necessity, and he found Mr. Taniguchi's current address.

On December 15, 2004, Mr. Yonezawa mailed the application papers, declaration form and assignment form to Mr. Taniguchi's current address by registered mail. The registered mail was kept at the local post office after failing of personal delivery. Because we were unable to confirm the receipt of such mail, Mr. Yonezawa made an urgent demand on the receipt of it by normal express mail on December 20, 2004. On December 22, 2004, Mr. Taniguchi appeared at the post office and received the registered mail. Mr. Yonezawa later sent reminders on January 19, 2005 to Mr. Taniguchi and requested execution and return of the declaration. However, Mr. Taniguchi did not return. I made a call at his house twice, but he was out of house in each time.

On February 8, 2005, at 6:00 and 8:00pm, then, I put a memorandum to him in his mail-box that "I would like you to call to my personal mobile phone or firm because I have a necessary paper to be promptly signed by you with respect to an U.S. patent application as previously performed by Azusa Patent Office".

Also, on February 20, 2005, at 6:00pm, I visited his residence, but I could not see him once again. Then, I put a same memorandum as above again.

On February 26, 2005, at 3:00pm, Mr. Seibi Inoue, Director visited his residence, but Mr. Inoue could not see him. Then, Mr. Inoue put a memorandum to him in his mail-box that "We received an urgent letter from Azusa Patent Office that the final due date for submitting the papers to be signed by you is March 13, 2005, and when it would not submit before the U.S. Patent and Trademark Office, then the application would be withdrawn. I assume that you already received some letters before, in case that you did not make any necessary action for us in this respect, we cannot pay any rewards to you. If you now do not have such a necessary paper at your hand, then please call me so that we promptly provide it to

you again by express mail. Finally, kindly appreciated if you would understand on the above and also take an appropriate procedure for the necessary paper.”

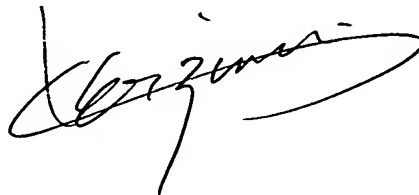
On March 5, 2005, at 8:30pm, I visited his residence again, but he could not see him. Then, his room light, however was being switched on. I put a memorandum in his mail-box that “I will visit tomorrow and then please let me know on how you consider on the inventor’s honor and standing position.”.

On March 6, 2005, I visited Mr. Taniguchi’s residence. Although Mr. Taniguchi was home, he only talked to me through the interphone and refused to personally see me. I asked Mr. Taniguchi to execute the declaration and assignment, but Mr. Taniguchi refused to execute the declaration and assignment without giving any specific reasons. Mr. Taniguchi did not answer to my query as to whether you would give up your honor and standing position as an inventor.

Respectfully submitted,

Shigeru Koizumi

Date

A handwritten signature in black ink, appearing to read 'Shigeru Koizumi', written over a horizontal line.

Mar. 8. 2005.

Receipt of Registered Mail Item

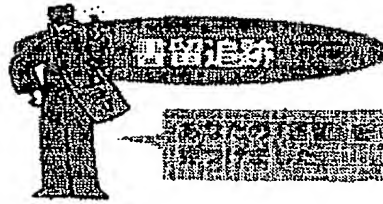
書留・配達記録郵便物受領証(お客様控)

(差出入の住所氏名) 110-0005 東京都台東区上野3丁目16番3号 Recipient 上野鈴木ビル7F 梓特許事務所 様 TEL 03-3834-4360				
受取人の氏名	引受番号	郵便料	申出損害賠償額	摘要
谷口昭仁 様	328-08- 82369-2	¥590	—	書類
Akihito Taniguchi 様				Documents
<small>ご注意</small> この受領証は、損害賠償の請求をするときその他 <small>の場合に必要です。大切に保管してください。</small> <small>簡易書留の損害賠償額は、原則として5万円を限度とする範囲です。</small> <small>摘要欄：カン(簡易)、キロ(配達記録)、ソク(速達)、ハイ(配達証明)</small> <small>の記号 ナイ(内容証明)、トク(特別送達)、ダイ(代金引換)</small> <small>シ(引受時刻証明)、シテ(配達日指定)</small> <small>配達状況がわかります。フリーダイヤル 0120-232886</small> <small>インターネット http://www.post.japanpost.jp</small>			郵便局 16.12.15*12-18	

発行No.268

担当者No.08

H16 Dec.15 12:00 to 18:00
(2004)



検索した番号は 328-08-82369-2(簡易書留)です

Post Office Name

Dates

状態 発生日	郵便局名	状態 status	備考	郵便番号	県名等
12月15日	上野黒門 Ueno Kuromon	引受 Received		110-0005	東京
12月15日	上野黒門 " "	発送 Left		110-0005	東京
12月15日	上野 Ueno	中継 Transit		110-8799	東京
12月16日	赤羽 Akabane	到着 Arrived		115-8799	東京
12月16日	赤羽 " "	ご不在のために持戻り		115-8799	東京
12月22日 20:32	赤羽 " "	窓口でお渡し		115-8799	東京

TOP

郵便番号を調べる

Failure of delivery due to absence

小包

書留

全国即時郵便

EMS

Personally Received by the Recipient
at the Post Office

谷口 昭仁 様

Mr. Akihito Taniguchi

Date 2004年12月15日

Azusa Patent Office

梓特許事務所

Akira Yonezawa

東京都台東区上野3-16-3

上野鈴木ビル7階

弁理士 米澤 明



ダイヤルイン 3834-4362

PHONE 03-3834-4360 (代表)

FAX 3834-4350

米国特許出願に関するサイン書類の送付の件

Request of signature for US Patent Application

拝啓 毎々格別のご高配を賜り厚く御礼申し上げます。

株式会社ピーアイ技術研究所の添付の特許出願の代理をさせていただいております。

この国際出願の米国特許庁への手続において、添付の書類への貴殿の御署名が必要でありますので、お手紙を差し上げました。

つきましては、ご署名ののち、返信用封筒にてご返送をいただきますようお願いいたします。

敬具

We represent PI R&D Co. Ltd on patent applications.

For US prosecution of the international application, your signature is necessary in documents enclosed.

Please sign and return using enclosed return envelope

very truly,

Date 2004年12月20日

谷口 昭仁 様

Mr. Akihito Taniguchi

梓特許事務所

Azusa Patent Office

東京都台東区上野 3-16-3

上野鈴木ビル7階

弁理士 米澤 明



ダイヤルイン 3834-4362
PHONE 03-3834-4360 (代表)

FAX 3834-4350

Akira Yonezawa

米国特許出願に関するサイン書類の送付の件

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株式会社ピーアイ技術研究所の添付の特許出願の代理をさせていただいております。

先日、簡易書留にて、別紙の国際出願の米国特許庁への手続において必要な書面をお送りしております。

つきましては、まことにご面倒とは存じますが、郵便物を受領され、書類にサインをして、返信用封筒にてご返送をいただきますようお願いいたします。

敬具

We represent PI R&D Co. Ltd on patent prosecution.

We sent the other day documents for US patent prosecution of the international application.

Please receive the registered mail and sign and return the documents using the return envelope.

very truly,

Date 2005年1月19日

谷口 昭仁 様

Mr. Akihito Tamguchi

梓特許事務所

Azusa Patent Office

東京都台東区上野3-16-3

上野鈴木ビル7階

弁理士 米澤 明



ダイヤル 3834-4362
PHONE 03-3834-4360 (代表)

FAX 3834-4350

Akira Yonezawa

米国特許出願に関するサイン書類の送付の件

拝啓 毎々格別のご高配を賜り厚く御礼申し上げます。

株式会社ピーアイ技術研究所の添付の特許出願の代理をさせていただきます。

別紙の国際出願の米国特許庁への手続において必要な書面をお送りいたしますので、2個所にサインをして、返信用封筒にてご返送をいただきますようお願いいたします。

敬具

We represent PI R&D Co., Ltd on patent prosecution.
Enclosed please find documents necessary for US
prosecution of the international application.

Please sign at two parts and return to us using
the return envelope,

Very truly,

平成 17 年 2 月 26 日

谷口昭仁様

Mr. Akihito Taniguchi

株式会社 ピーアイ技術研究所
社長室 井上成美
045-778-3355

PI R&D Co., Ltd

サイン書類の件

Re: Documents to sign

拝啓

いつもご高配を賜わり厚く御礼申し上げます。

さて、先般よりご案内の、“特許出願”に関する最終の提出期限が 3 月 13 日となっており、この日までに必要書類が提出されない場合には出願が放棄されることの連絡が梓特許事務所より来ております。(破棄される場合は、その手続きが必要となります。) またすでにご案内かと思いますが、今回の書類手続きが取られない場合、弊社からの特許に関する谷口様への報酬もお支払いが出来ません。(その“特許に関する報酬”に関しましては担当者より別途ご説明させていただきます。)

また手続き書類がお手元になき場合は再送させていただきますのでその旨ご連絡お願い申し上げます。

以上ご理解を賜り必要書類の手続きをいただけますようよろしくお願い申し上げます。

敬具

The documents must be filed in USPTO by March 13.

The US application will be abandoned if necessary documents are not filed according to the information from Azusa Patent Office. (Abandonment also requires proper procedure)

As already notified you, PI R&D cannot pay compensation from the patent if you do not cooperate in document submission.

(A person in charge can explain about the compensation.)

If you cannot find the documents, we can resent if you tell us so.

We would appreciate it if you could understand and return the signed documents.